

## MEETING # 25 – July 1<sup>st</sup>

At a meeting (#1) of the Madison County Board of Supervisors, in joint session with the Madison County Planning Commission, on July 1, 2020 at 7:00PM at the Madison County Administrative Center Auditorium located at 414 N. Main Street:

PRESENT: R. Clay Jackson, Chair  
Charlotte Hoffman, Vice-Chair  
Kevin McGhee, Member  
Amber Foster, Member  
Carty Yowell, Member  
Jack Hobbs, County Administrator  
Sean Gregg, County Attorney

### Call to Order

#### Determine Presence of a Quorum / Adopt Agenda

After Chairman Jackson called for suggested amendments to the agenda, it was agreed that Item C. (Case No. SU-07-20-14) would be removed from the agenda and considered at a later date.

Supervisor Yowell made a motion that the agenda be adopted as amended and Supervisor Foster seconded. **Aye: Jackson, Hoffman, McGhee, Foster, Yowell, Nay: (0)**

#### Public Comment

There were no comments from the public.

#### Public Hearings:

- A. **Case No. S-07-20-12:** A subdivision request by Scott & Katherine Devitt to subdivide an existing 90.9-acre parcel creating three (3) new lots/parcels with a residue parcel. The subject parcel is zone A1 (Agriculture) and the four (4) parcels (including residue) would contain 20 acres, 20.7 acres, 20.1 acres and 30 acres. In the A1 zoning district, the minimum lot size is three (3) acres. The subject parcel is located on Leon Road (Rt. 631) and is identified on Madison County's Tax Map as 43-2.

County Planner Ligon Webb reported that the request meets all ordinance requirements and that there are no unresolved issues related to the case.

The applicant's representatives had nothing further to add.

Comments from the Board:

- *Supervisor Yowell asked the County Planner why the application does not reference the packet that the County Planner put out in which he said that the subdivision rights on the subject's properties have been exhausted. The County Planner responded that the information would remain on record with the County's files in the event that the issue came up later on in time. He thought it would be a good idea to place the exhausted subdivision rights on the survey.*

The Chairman opened a duly advertised public hearing on the proposed ordinance.

Seeking clarification, Mr. Lohr asked that, if the owners of the four lots in question had children, could they create a family subdivision. The County Planner responded that they could not. Commissioner Utz stated that it might help if the County Planner could elaborate on what alternatives there are for land that could not be divided anymore. The County Planner stated that he would instruct people to go before the Planning Commission and ask for them to change the rules to be more lenient towards family subdivisions and not limiting it to four lots on a single private road. His personal view was that family subdivisions should be more lenient with the survey having a provision for a recorded maintenance agreement.

There being no one coming forward to offer comments, the public hearing was closed.

Supervisor Yowell made a motion to approve Case No. S-07-20-12 as recommended by the Planning Commission that was seconded by Supervisor McGhee according to the following vote: *Aye: Jackson, Hoffman, McGhee, Foster, Yowell, Nay: (0)*

- B. Case No. S-07-20-13:** A subdivision request by Robert & Allison Yeaman to subdivide an existing 82.7-acre parcel creating three (3) new lots/parcels with a residue parcel. The subject parcel is zoned A1 (Agriculture) and the four (4) parcels (including residue) would contain 7.54 acres, 16.81 acres, 6.9 acres and 46.56 acres. In the A1 zoning district, the minimum lot size is three (3) acres. The survey also includes a boundary line adjustment of roughly 4.89 acres to an adjoining parcel also owned by the Yeaman's. The subject parcel is located on Beautiful Run Road (Rt. 621) and is identified on Madison County's Tax Map as 64-11B.

County Planner Ligon Webb reported that the request meets all ordinance requirements and that there are no unresolved issues related to the case.

The Chairman opened a duly advertised public hearing on the proposed ordinance. There being no one present or via electronic communication who wished to speak, the public hearing was closed.

Supervisor McGhee made a motion to approve Case No. S-07-20-13 as recommended by the Planning Commission that was seconded by Supervisor Yowell and carried 5-0 according to the following vote: *Aye: Jackson, Hoffman, McGhee, Foster, Yowell, Nay: (0)*

To keep the Board of Supervisors in the discussion, Chairman Jackson decided to remain in session and turned the meeting over to Planning Chairman Mike Mosko.

Chairman Mosko opened a public comment session on the Crescere resort proposal, designated as Case No. SU-07-20-14. It was noted that this special use permit request by Crystallis LLC (Barbara Miller) involves an event/venue use located on seven (7) parcels totaling 749.3 acres. The subject properties are zoned A1 (agriculture) and in this district event/venue uses are allowable by special use permit. The applicant has submitted a conceptual site plan showing at build-out numerous lodging areas, a welcome center & restaurant, a spa, a pavilion, an event center and several other associated buildings/structures; a project narrative estimates site build-out will contain roughly 60,000 sq. ft. of permanent and temporary structures. In addition, developed areas will include parking, roadways, hiking trails and equestrian trails and facilities. If approved, prior to the development of any area(s) or structures the applicant would be required to submit a site plan to be reviewed by County staff, receive a recommendation by the Planning Commission and approval by the Board of Supervisors. The subject parcels are identified on Madison County Tax Map's as 64-71, 64-73, 64-73A, 68-1, 68-2A, 68-2 and 69-1. An existing single-family dwelling on the on parcel 73A has a postal address of 2427 S. Blue Ridge Turnpike, Rochelle, VA

The County Planner took a few minutes to speak about the process Madison uses for joint-hearings and suggested that that it is efficient, though it leaves the public perception that the County is moving too quickly on issues in certain circumstances and many comments were directed towards it. He explained that process cycle for the Crescere project and how the County has put out information readily for public consumption.

The County Planner then spoke on the public's concerns about noise levels, traffic, and the environment. He said he was available to talk to anyone about these issues.

#### ***Doug Hill***

Landowner next to the proposed Crescere resort. Mr. Hill is concerned about the recent updates to the numbers put out by Crescere that he believes would negatively impact his farm including:

- The number of major events per year increasing
- The number of allowable off-site and on-site guests increasing
- The noise level of the music

He asked for more time to talk with Crescere and the Planning Commission on the numbers put out by Crescere.

#### ***Amy Neale***

Landowner next to the proposed Crescere resort. Mrs. Neale was concerned that the current proposal would negatively impact the County's culture due to the large scope of the development. She said that the special use permit was too open-ended with unclear parameters that allowed the applicant too much freedom with regards to their numbers. Specifically, her largest concerns dealt with:

- Maintaining the County's culture
- Event sizes and the number of guests allowable
- The noise level of music, guests, and vehicles
- Traffic increases
- The threats to the water table and septic system
- The amount of impervious paving could contribute to runoff

She asked that the County raise the requirement for the special use permit to at least 50ft, 75ft, or 100ft to give adjacent land a larger buffer zone. She also suggested the use of down-facing lights to mitigate light glow at night. Finally, she requested that the Board change the special use permit's language to follow the applicant and not the land.

***Chris Hawk (Piedmont Environmental Council)***

Mr. Hawk spoke to the Board via telephone and said that there were still many unanswered questions about the application by Crescere. He voiced his support for affording more time towards discussing the project and that the application itself does not conform to the rural nature of the County or take into consideration the public health, safety, or welfare.

***Barbara Miller***

Ms. Miller stated that Crescere was a working farm and will continue to be a working farm with minimal disturbances to the land. She expressed her desire for Crescere to become an educational center for people to learn about farming as well as a community gathering place.

***Susan Miller***

Ms. Miller began by saying that the updates to the conditions letter were made in the spirit of clarity and to provide the public with the project's priorities, objectives, and potential phasing. She addressed some of the concerns brought up earlier:

- The lodging along the Rapidan river will only feature six lodges and will be built to house only 1-2 people
- The event center is a catering hall; she explained that the reason why the numbers have been changing on this front is because of the definition of a "large event" and that she does not want to limit the number of people to visit
- Road concerns will be addressed by VDOT for each phase and Crescere is required to meet with law enforcement, county officials, and EMS to make sure things run smoothly and safe
- It is her preference to use as much permeable material as possible
- The Virginia Health Department will be addressing any concerns to public health regarding the water and soil concerns
- There are caps in place for the number of guests and the project remains open to discussions regarding this issue

***Bill Queizsch***

Stated that he was concerned about the varying numbers and figures provided by the Crescere project and asked the County to firm-up and set a date for finalizing numbers to be presented where they may be discussed.

***Justin Shimp (Developer's consultant)***

Mr. Shimp spoke about the scale of the project, specifically that the scale of the buildings for Crescere would not be different than other buildings around the County. He stated that the project had spoken to safety officials and would be following the environmental regulations already in place.

Commissioner Peter Work commented that he thought it would be helpful for Ms. Susan Miller to share a copy of her bulleted points that she spoke on earlier with the County Planner. She responded that she would put something together.

Commissioner Pete Elliot responded to comments addressed to him earlier in the meeting, stated that he supported the project and that he did not need the money the project would be bringing in.

The Planning Commission then adjourned and the Board of Supervisors agenda resumed.

Chairman Jackson suggested the Board have an extended workshop meeting on July 15<sup>th</sup> for further discussion. The County Attorney raised a Point of Clarification to ask if decisions were going to be made at the meeting to which the Chairman replied that they would not be making decisions then.

## **Old Business**

## **New Business**

### **Information/Correspondence**

The County Administrator reviewed pending and upcoming items as follows:

- The state code has recently been changed and now requires IDA to file reports on what they own in the form of statements of economic interest. Steven Hill recently resigned from the IDA and the County will need to appoint his replacement
- The Board was reminded of its public hearing on flood plain maps and ordinance on August 5
- There are a few remaining things to follow up on regarding the bond funding effort
- The Board was reminded of the County Administrator's scheduled vacation, and it was understood that the office would be operating through email and voicemail as appropriate.

### **Public Comment**

No one came forward to speak when the Chairman opened the floor for public comment.

### **Closed Session**

Supervisor Yowell made a motion that the Board convene in a closed session pursuant to Virginia Code Section 2.2-3711(A)(29): discussion of the terms or scope of a public contract involving the expenditure of public funds where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the Board related to negotiations with the Madison County Rescue Squad. The motion was seconded by Supervisor Foster and carried 5:0 according to the following vote: **Aye: Jackson, Hoffman, McGhee, Foster, Yowell, Nay: (0)**

Supervisor Yowell made a motion that the Board re-convene in an open session that was seconded by Supervisor Hoffman and carried 5-0 according to the following vote: **Aye: Jackson, Hoffman, McGhee, Foster, Yowell, Nay: (0)**

Supervisor Yowell made a motion that the Board certify by roll-call vote that only matters lawfully exempted from open meeting requirements pursuant to Virginia Code Sections 2.2-3711(A)(29) only matters that were identified in the motion to convene in a closed session were heard, discussed or considered in the closed meeting. The motion was seconded by Supervisor Foster and carried 5-0 on the following roll call vote: **Aye: Jackson, Hoffman, McGhee, Foster, Yowell, Nay: (0)**

Supervisor McGhee made a motion to approve the purchase of purchase a fully upfitted ambulance at an estimated cost of \$328,401 that was seconded by Supervisor Foster and carried 5-0 according to the following vote: **Aye: Jackson, Hoffman, McGhee, Foster, Yowell, Nay: (0)**. It was understood that this purchase would be funded with CARES Act funds if possible.

Chairman Jackson then called for the Board to recess for five minutes.

Supervisor Yowell motioned to amend the agenda to include discussion on implementing the pay and classification study for emergency services personnel, seconded by Supervisor Foster. **Aye: Jackson, Hoffman, McGhee, Foster, Yowell, Nay: (0)**

Comments from the Board:

- *Chairman Jackson talked about how the county's public safety employees are working under extreme conditions. To compensate these public safety officials, Chairman Jackson suggested that the Board implement the adjusted pay that was to go in effect January 1<sup>st</sup> for these departments immediately.*
- *Supervisor Yowell commented that the other employees working for the County should understand that while they are working during the pandemic, the public safety officials are exposed on a higher level.*

Supervisor Hoffman moved to implement the proposed compensation and classification plan for the Emergency Medical Services, the Sheriff's Department, and the Emergency Communications Center employees effective as of July 1. The motion was seconded by Supervisor McGhee and carried 5:0 according to the following vote: **Aye: Jackson, Hoffman, McGhee, Foster, Yowell, Nay: (0)**

Comments from the Board:

- *Chairman Jackson commented that Noah Hillstrom was working hard for the County and the Board vastly appreciated his efforts during the pandemic. Following this, the County Administrator then voiced support for the rest of the County's public safety officials for the work they had been doing.*
- *Chairman Jackson then said that the Board is looking into doing mass COVID-19 testing in the County around the end of July.*

### **Adjourn**

With no further business to conduct, Supervisor Hoffman made a motion to adjourn the meeting that was seconded by Supervisor Foster and carried 5-0 according to the following vote: **Aye: Jackson, Hoffman, McGhee, Foster, Yowell, Nay: (0)**

---

R. Clay Jackson, Chairman  
Madison County Board of Supervisors

---

Clerk of the Board of the Madison County Board of Supervisors  
Copies: Board of Supervisors, County Attorney & Constitutional Officers  
Adopted on: July 14, 2020

\*\*\*\*\*



**Agenda**  
**Board of Supervisors Meeting**  
**Wednesday, July 1, 2020 at 7:00 PM**  
**County Administration Building, Auditorium**  
**414 N Main Street, Madison, Virginia 22727**

(Following the Planning Commission meeting)

**Call to Order, Pledge of Allegiance & Moment of Silence**

**Determine Presence of a Quorum / Adopt Agenda**

**Public Comment**

**Public Hearings:**

**A) Case No. S-07-20-12:** A subdivision request by Scott & Katherine Devitt to subdivide an existing 90.9-acre parcel creating three (3) new lots/parcels with a residue parcel. The subject parcel is zone A1 (Agriculture) and the four (4) parcels (including residue) would contain 20 acres, 20.7 acres, 20.1 acres and 30 acres. In the A1 zoning district, the minimum lot size is three (3) acres. The subject parcel is located on Leon Road (Rt. 631) and is identified on Madison County's Tax Map as 43-2.

**B) Case No. S-07-20-13:** A subdivision request by Robert & Allison Yeaman to subdivide an existing 82.7-acre parcel creating three (3) new lots/parcels with a residue parcel. The subject parcel is zoned A1 (Agriculture) and the four (4) parcels (including residue) would contain 7.54 acres, 16.81 acres, 6.9 acres and 46.56 acres. In the A1 zoning district, the minimum lot size is three (3) acres. The survey also includes a boundary line adjustment of roughly 4.89 acres to an adjoining parcel also owned by the Yeaman's. The subject parcel is located on Beautiful Run Road (Rt. 621)) and is identified on Madison County's Tax Map as 64-11B.

**C) Case No. SU-07-20-14:** A special use permit request by Crystallis LLC (Barbara Miller) for an event/venue use located on seven (7) parcels totaling 749.3 acres. The subject properties are zoned A1 (agriculture) and in this district event/venue uses are allowable by special use permit. The applicant has submitted a conceptual site plan showing at build out numerous lodging areas, a welcome center & restaurant, a spa, a pavilion, an event center and several other associated buildings/structures; a project narrative estimates site build out will contain roughly 60,000 sq. ft. of permanent and temporary structures. In addition, developed areas will include parking, roadways, hiking trails and equestrian trails and facilities. If approved, prior to the development of any area(s) or structures the applicant would be required to submit a site plan to be reviewed by County staff, receive a recommendation by the Planning Commission and approval by the Board of Supervisors. The subject parcels are identified on Madison County Tax Map's as 64-71, 64-73, 64-73A, 68-1, 68-2A, 68-2 and 69-1. An existing single family dwelling on the on parcel 73A has a postal address of 2427 S. Blue Ridge Turnpike, Rochelle, VA

**Old Business**

**New Business**

**Information/Correspondence**

**Public Comment**

**Closed Session**

**Adjourn**